

## **EXHIBIT 1**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	MAIL STOP
ROLF LASSON	)	
	)	Group Art Unit:
Application No.: Unassigned	)	
	)	Examiner:
Filed:	)	
	)	Confirmation No.
For: METHOD OF PRODUCING	)	
PACKAGING MATERIAL IN THE	)	
FORM OF A CONTINUOUS	)	
LAMINATE WEB	)	

**DECLARATION UNDER 37 C.F.R. §1.132 OF LARS LÖFGREN**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Lars Löfgren, hereby affirm that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true:

1. I received a Master's Degree from the University of Lund (Sweden) in 1970 in the field of organic chemistry.
2. I have seven (7) years' experience as Development Manager for polystyrene resins for various applications, including food packaging.
3. I have eight (8) years' experience as QA Manager at Tetra Pak packaging material productions plant.

4. I have seven (7) years' experience as Advanced Packaging Material Manager within Tetra Pak R&D, where the major part of the work was within barrier material research, development and design.

5. I have five (5) years' experience as Project Manager within Tetra Pak Converting Technologies, where a substantial part of the time was spent on barrier material development, surface chemistry and modifications and general converting questions, especially within the field of extrusion coating.

6. I have six (6) months' experience as Project Manager within Business Unit Tetra Brik where the main work is dedicated to material design for barrier and sealing properties/package integrity.

7. I have read the patent application, Serial No. 08/384,596 by Rolf Lasson, and I am familiar with the subject matter of this application.

8. I have read the Decision on Appeal dated February 19, 2003 (Decision) by the Board of Patent Appeals and Interferences, and I have reviewed the prior patents and publications cited in the Decision.

9. The principal prior art patent for all of the pending claims is Rebholz, which discloses a multi-layer laminate having a paper layer and a foil layer (Decision, page 7).

10. The Decision quotes a description in Rebholz at Column 3, lines 18-28 that the paper layer (1) is bonded to the foil (3) by a polyolefin adhesive.

11. As described in the original Specification, page 2, lines 3-14, the paper layer that is used in the automatic packaging machine has holes where an opening device can be installed in the hole before the liquid contents are filled in the container. I have observed

that the problem of wrinkling or tearing of the foil occurs around the holes when the foil is applied over the hole as the paper layer continues to advance. The wrinkling and tearing of the foil results from the fact that the foil is very thin and flexible and may partially be drawn into any hole or edge in the paper layer.

12. It is common practice to use an extruder for applying an adhesive layer between layers in a laminate to bond the layers together. Applicant's process eliminates the extruder which is an expensive machine. According to the process of this invention, the foil layer is bonded to a prefabricated laminate film. The bonding step in Applicant's process includes a steel roller that heats the foil as it passes over the roller. Heat is conducted through the foil to fuse the EAA layer to the foil. The outside layer of the prefabricated laminate film is at a lower temperature to cool the laminate and to avoid any tendency for the outer layer to soften.

13. It would not be obvious from the Rebholz patent to use a heated roller to cause the foil to bond to the prefabricated laminate film. The use of a conventional extruder to apply an adhesive layer to bond the foil to the laminate does not make the foil stiff and less flexible.

14. A conventional extruder produces a melted thermoplastic layer that bonds two layers together. Since it is melted when it is applied as an adhesive between two layers, the extruded thermoplastic allows relative movement between the foil layer and the adjacent layer. Applicant's invention is a process that makes the foil layer more stiff, so that it is not subject to tearing or wrinkling around the holes in the paper. As the foil

laminate advances from the first pair to the second pair of rollers, it passes over a breaking roll which applies tension in the foil laminate.

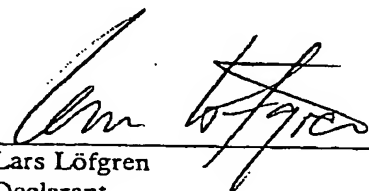
15. The second pair of rollers uses an extruder to apply a thermoplastic adhesive between the paper layer and the foil laminate. The bond between the paper layer and the foil laminate is obtained in this manner with a minimum of compression between the rolls.

16. This process is currently in commercial production by the Assignee of this application. The introduction of this process has met a need in this industry to produce a foil laminate that is bonded to a paper layer that has holes, without introducing creases or tears in the foil layer. This process produces a superior laminate at an economical costs.

The Declarant has been warned that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. 1001) and may jeopardize the validity of the application or any patent issuing thereon.

Date:

01/21/04

  
Lars Löfgren  
Declarant